

Draft 3- 8/13/2001: The Statewide PAC continues to monitor parent comment and hearings about the rules changes. We will continue to update our position as conditions warrant.

Statewide PAC Position on Rules Changes

- The Statewide PAC believes that the proposed changes to the administrative rules for special education will affect many lives. It is important that parents, students, and all other stakeholders be given the opportunity to explore the changes in rules, *and have input on changes that they deem necessary* to continue the provision of needed services to help all students succeed.
- IDEA mandates a continuum, with the understanding that educational services should be provided in the least restrictive environment for each student. We believe that for a student to succeed, education must go beyond a “placement”, or even a teacher or a class taking “ownership” of each student; it must include expectations for success for each student.
- We believe that the phrase “to develop the maximum potential of each special education student”, while not an actual program or service, defines the philosophy that each student, no matter what disability, should be provided with the educational services that s/he needs. We believe that this statement should be kept in the rules.
- We believe that for students to succeed in the least restrictive environment, active, empowered, knowledgeable parents must work in equal partnership with teachers, administrators and others to develop successful programs. The parent advisory committee needs to be informed, effective and empowered in this partnership in order to help parents with these goals.
- Because of the changes in the special education rules, parent advisory committees (PAC’s) will have an even more important role in developing crucial ISD plans.

We believe that PAC’s need to be mandated in the state rules as follows:

Page 136, R340.1838

We propose that the rule be replaced with:

(1): A parent advisory committee shall exist for each a) intermediate school district; b) regional area of the state; and c) the State of Michigan. Each parent advisory committee shall determine a method of impartial selection and appointment of its members.

(2): While working in partnership with ISD’s and other educational and state agencies, the Statewide Parent Advisory Committee (SPAC) will be self-directed and responsible for it’s own organizational structure.

(3): The committee and its officers shall consist only of parents of students with disabilities with at least 1 parent from each constituent local school district and public school academy belonging to each intermediate parent advisory committee. Regional

parent advisory committees shall be made up of one member from each intermediate parent advisory committee in that region. All members of intermediate and regional parent advisory committees belong to the state parent advisory committee. Two members of each regional parent advisory committee (one representative and one alternate) shall make up the state parent advisory executive board.

(4): Each PAC shall make every attempt to ensure that all types of impairments, all organizations of parents of students with disabilities, and a diverse representation of minority and ethnic groups are included in its members.

(5): Fiscal and staff resources shall be allocated to each PAC to make it efficient and effective, by each a) intermediate school district; b) regional group of intermediate school districts and c) the Michigan Department of Education.

(6): Each parent advisory committee shall have responsibility for determining and documenting in writing the organizational structure of the committee, including all of the following:

- a) Officers and their responsibilities
- b) Meeting times
- c) Notice of meeting times
- d) Voting procedures
- e) Terms of office
- f) Related matters

Compensation must be offered and agreed upon by the parent for meetings other than regularly scheduled PAC meetings. This will include but not be limited to: childcare, reimbursement of lost wages or lost fringe benefits and mileage. In the event that the parent does not work outside the home there will be an established minimum rate to be established each contract period. Participation in above-mentioned activities must be documented (i.e. sign-in sheets).

(7): Each parent advisory committee shall be included in all Administrative and planning meetings pertaining to writing and modifying the ISD plan, and this must be documented (i.e. sign-in sheets).

(8): Each intermediate district parent advisory committee shall participate as an equal partner in the development of the intermediate school district's plan or any modification of the plan for the delivery of special education programs and services as required.

(9): Each regional parent advisory committee shall coordinate the sharing of information between intermediate PAC's of that region.

(10): Parent advisory committees shall receive training and in-servicing pertaining to their role, which shall be funded by the state.

(11): The state parent advisory committee shall coordinate state-wide sharing of information regarding special education services, and facilitate a mandated yearly conference for representatives of all intermediate and regional parent advisory committees so that parent advisory committees across the state can work together to improve special education.

(12): Each parent advisory committee may provide advisory input on any matters which the committee deems appropriate to the improvement of special education services within the a) intermediate school district; b) regional school districts; and c) the State of Michigan.

The Statewide parent advisory committee would also like to draw your attention to the following rules. It is important to reference the page and rule when you make a comment.

- ***Page 129, R340.1832(E):*** State definitions for categorical programs and state determined caseloads within such classrooms are eliminated. This rule defines an “instructional ratio” of special education students to special education teachers **across the whole county**. We need a guarantee that a district or county cannot request a waiver to increase this ratio. The Intermediate school district plan will describe how to “achieve this ratio”. We are concerned that differences between ratios from county to county will cause educational services for children with disabilities to be inequitably provided across the state. There should be a guaranteed capped maximum student to teacher ratio statewide. This would guarantee that services cannot be diluted, but only provided **at the state rate or better**
- ***Page 78, R340.1733(d):*** Removes any reference to age span limits in classrooms. We do not want to see 5-year-olds being placed in classrooms with 25-year-olds: something that **did** actually happen before the current special education rules went into effect. Natural age span limits exist in elementary, middle, and high school in regular education programs; they need to be observed in special education programs as well.
- ***Page 88-91, R340.1738-174; Page 93, R340.1747-1748; Page 101, R340.1758:*** Removes the definitions of categorical or disability-specific classrooms such as SMI, TMI, EI, POHI, AI, etc. While this may enhance the placement of students in least restrictive environments, there will always be the need for a continuum. **The mandated classroom maximums for each of these programs is being eliminated- this removes the safeguard of keeping class sizes small, and removes the curriculum guidelines that used to be in state rules.** We need to be sure that small class sizes and specialized curricula will continue.
- ***Pages 20-21, removal of R340.1703, 1704, and change to 1705:*** This sets a new category, “Cognitive Impairment” to replace old terms SMI, TMI and EMI. This may impact families’ access to other state benefits such as the Medicaid waiver, Family Subsidy, and SSI, that currently use these subcategories to determine eligibility. The process of accessing services should be made easier for families, not more difficult.

We would like to encourage you to become informed (the rules changes can be accessed at { HYPERLINK "<http://www.mde.state.mi.us/off/sped>" }). Public comment must be received at the Michigan Department of Education by October 1, 2001.

We would like to encourage you to make your voice heard. Comments may be sent to:

**Mr. David Brock, Supervisor
OSE-EIS
Michigan Department of Education**

**P O Box 30008
Lansing, MI 48909**

Make sure that you reference page and rule numbers in your letter. You may also e-mail your comments to { [HYPERLINK "mailto:brockd@state.mi.us"](mailto:brockd@state.mi.us) }, or fax to (517) 373-7504.

We would like to encourage you to attend one or more of the public hearings on the rules process. Take 2 copies of your comments – one to keep while speaking, and one to hand in. The actual amount of time for each person to speak will depend on the number of people that are there. The remaining hearings are:

**Valley Plaza Resort
Hotels & Convention Center
5221 Bay City Road
Midland, MI 48642
Sept. 20, 2001, 6:30 – 9:00 p.m.**

**McCamly Plaza Hotel
Executive Conference Center
50 Capital Avenue, S.W.
Battle Creek, MI 49017
Sept. 20, 2001, 6:30 – 9:00 p.m.**

Also, contact the State Superintendent of Public Instruction, the State Board of Education, the Governor, the Lieutenant Governor, and your state legislators by phone, letter, fax and/or email (use all these methods if you can). Voice your concerns to them about the rules changes that concern you and will impact your family.

Contact Information

State Board of Education

Michigan Department of Education, P.O. Box 30008, Lansing, MI 48909 (517) 373-3900	
John Austin	Kathleen N. Straus
Sharon Gire	Michael David Warren, Jr.
Marianne Yared McGuire	Eileen Weiser
Herbert S. Moyer	

State Superintendent of Public Instruction

Thomas D. Watkins Jr., Michigan Department of Education, P.O. Box 30008, Lansing, MI 48909 (517) 373-9235

John Engler, Governor, State Capitol, PO Box 30013, Lansing, MI 48909 (517) 373-3400
Fax: (517) 335-6863

Dick Posthumus, Lt. Governor, State Capitol, PO Box 30026, Lansing, MI 48909 (517) 373-6800
Fax: (517) 241-3956 e-mail: ltgov.exec.state.mi.us